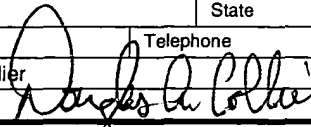
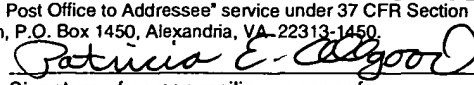


| | | | | |
|---|--|------------------------|---|--|
| UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR § 1.53(b))</small> | | Attorney Docket No. | 4002-3363/PC459.06 | |
| | | First Inventor | Kevin T. Foley | |
| | | Title | METHODS AND INSTRUMENTS FOR INTERBODY SURGICAL TECHNIQUES | |
| | | Express Mail Label No. | EV 332 723 811 US | |

| | | | | |
|---|--|---|--|--|
| APPLICATION ELEMENTS <small>See MPEP chapter 600 concerning utility patent application contents</small> | | ADDRESS TO: Commissioner for Patents Mail Stop Patent Application P.O. Box 1450, Alexandria, VA 22313-1450 | | |
| 1. <input checked="" type="checkbox"/> *Fee Transmittal Form (e.g., PTO/SB/17) <small>(submit an original and a duplicate for fee processing)</small> | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) | <div style="display: flex; align-items: center; justify-content: center;"><div style="writing-mode: vertical-rl; transform: rotate(180deg);">17513 U.S. PTO</div><div style="border: 1px solid black; padding: 5px; margin: 0 10px;">10/625418</div><div style="writing-mode: vertical-rl; transform: rotate(180deg);">07/23/03</div></div> | | |
| 2. <input type="checkbox"/> Applicant claims small entity status. | 8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <small>(if applicable, all necessary)</small> | | | |
| 3. <input checked="" type="checkbox"/> Specification <small>(preferred arrangement set forth below)</small> - Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference sequence listing, a table, or a computer program listing appendix or computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings <small>(if filed)</small> - Detailed Description - Claim(s) - Abstract of the Disclosure | a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: <input type="checkbox"/> CD-ROM or CD-R (2 copies); or <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies | | | |
| 4. <input checked="" type="checkbox"/> Drawing(s) <small>(35 U.S.C. 113)</small> <input type="checkbox"/> Informal <input checked="" type="checkbox"/> Formal | ACCOMPANYING APPLICATION PARTS | | | |
| 5. Oath or Declaration a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) <small>(for continuation/divisional with Box 18 completed)</small> i. <input type="checkbox"/> DELETION OF INVENTOR(S) <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).</small> | 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) | | | |
| 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | 10. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small> | | | |
| | 11. <input type="checkbox"/> English Translation Document <small>(if applicable)</small> | | | |
| | 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations | | | |
| | 13. <input type="checkbox"/> Preliminary Amendment | | | |
| | 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small> | | | |
| | 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small> | | | |
| | 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. | | | |
| | 17. <input type="checkbox"/> Other: | | | |

| | | | |
|---|-------------------------------------|---|-------------------------------------|
| 18. If a CONTINUING APPLICATION , check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: | | | |
| <input checked="" type="checkbox"/> Continuation | <input type="checkbox"/> Divisional | <input type="checkbox"/> Continuation-in-part (CIP) | of prior application No: 09/692,980 |
| Prior application information: Examiner: <u>Todd E. Manahan</u> | | Group / Art Unit: <u>3732</u> | |
| <small>For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.</small> | | | |

| | | | | | |
|--|---|-----------|--|-----------------------------------|----------------|
| 19. CORRESPONDENCE ADDRESS | | | | | |
| <input type="checkbox"/> Customer Number or Bar Code Label | | | <input checked="" type="checkbox"/> Correspondence address below | | |
| <small>(Insert Customer No. or Attach bar code label here)</small> | | | | | |
| Name | Woodard, Emhardt, Moriarty, McNett & Henry LLP | | | | |
| Address | Bank One Center/Tower 111 Monument Circle, Suite 3700 | | | | |
| City | Indianapolis | State | IN | Zip Code | 46204-5137 |
| Country | USA | Telephone | (317) 634-3456 | Fax | (317) 637-7561 |
| Name (Print/Type) | Douglas A. Collier | | | Registration No. (Attorney/Agent) | 43,556 |
| Signature |  | | | Date | July 23, 2003 |

| | |
|---|--------------------------------------|
| Express Mail Label Number EV 332 723 811 US | Date of Deposit July 23, 2003 |
| I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR Section 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450. | |
|  Signature of person mailing paper or fee | |

**FEE TRANSMITTAL
FOR FY 2003**

Patent fees are subject to annual revision.

Complete if Known

Application Number

Filing Date

First Named Inventor

Kevin T. Foley

Group Art Unit

Examiner Name

Total Amount of Payment

(\$996.00)

Attorney Docket Number

4002-3363/PC459.06

METHOD OF PAYMENT☒ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order☒ Deposit Account:Deposit
Account
Number

23-3030

Deposit
Account
NameWoodard, Emhardt, Moriarty,
McNett & Henrv LLP

The Commissioner is authorized to: (check all that apply)

- ☐
- Charge fee(s) indicated below
- ☐
- Credit any overpayments
-
- ☒
- Charge any additional fee(s) during the pendency of this application,
-
- excluding the payment of issue fees
-
- ☐
- Charge fee(s) indicated below, except for the filing fee to the above-
-
- identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------|--------------------|----------------------|--------------------|---------------------------|----------------|
| 1001 | 750 | 2001 | 375 | Utility Filing Fee | 750 |
| 1002 | 330 | 2002 | 165 | Design Filing Fee | |
| 1003 | 520 | 2003 | 260 | Plant Filing Fee | |
| 1004 | 750 | 2004 | 375 | Reissue Filing Fee | |
| 1005 | 160 | 2005 | 80 | Provisional Filing Fee | |
| SUBTOTAL (1) | | | | | (\$750) |

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee From Below | Fee Paid |
|-----------------------|-----------------|----------------|-----------|
| 29 | -20** = 9 | X 18 = 162 | |
| Independent Claims | 4 | -3** = 1 | X 84 = 84 |
| Multiple Dependent | | | |

| Large Entity | Small Entity | Fee Description |
|--------------|--------------|-----------------|
| Fee Code | Fee Code | Fee (\$) |
| 1201 | 2201 | 42 |
| 1203 | 2203 | 140 |
| 1204 | 2204 | 42 |
| 1205 | 2205 | 9 |

SUBTOTAL (2) (\$ 245)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity | Small Entity | Fee Description | Fee Paid |
|--------------|--------------|-----------------|--|
| Fee Code | Fee Code | Fee (\$) | Fee (\$) |
| 1051 | 2051 | 65 | Surcharge - late filing fee or oath |
| 1052 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet. |
| 1053 | 1053 | 130 | Non-English specification |
| 1812 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination |
| 1804 | 1804 | 920* | Requesting publication of SIR prior to Examiner's Action |
| 1805 | 1805 | 1,840* | Requesting publication of SIR after Examiner's Action |
| 1251 | 2251 | 55 | Extension for reply within first month |
| 1252 | 2252 | 205 | Extension for reply within second month |
| 1253 | 2253 | 465 | Extension for reply within third month |
| 1254 | 2254 | 725 | Extension for reply within fourth month |
| 1255 | 2255 | 985 | Extension for reply within fifth month |
| 1401 | 2401 | 160 | Notice of Appeal |
| 1402 | 2402 | 160 | Filing a brief in support of an appeal |
| 1403 | 2403 | 140 | Request for oral hearing |
| 1451 | 1451 | 1,510 | Petition to institute a public use proceeding |
| 1452 | 2452 | 55 | Petition to revive - unavoidable |
| 1453 | 2453 | 650 | Petition to revive - unintentional |
| 1501 | 2501 | 650 | Utility issue fee (or reissue) |
| 1502 | 2502 | 235 | Design issue fee |
| 1503 | 2503 | 315 | Plant issue fee |
| 1460 | 1460 | 130 | Petitions to the Commissioner |
| 1807 | 1807 | 50 | Petitions related to provisional applications |
| 1806 | 1806 | 180 | Submission of Information Disclosure Stmt |
| 8021 | 8021 | 40 | Recording each patent assignment per property (times number of properties) |
| 1809 | 2809 | 375 | Filing a submission after final rejection (37 CFR 1.129(a)) |
| 1810 | 2810 | 375 | For each additional invention to be examined (37 CFR 1.129(b)) |
| 1801 | 2801 | 375 | Request for Continued Examination (RCE) |
| 1802 | 1802 | 900 | Request for expedited examination of a design application |

Other Fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**SUBMITTED BY**

Name (Print/Type)

Douglas A. Collier

Registration No.
(Attorney/Agent)

43,556

Telephone

(317) 634-3456

Signature

Date

July 23, 2003